

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

POWAY UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2012100656

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PREHEARING CONFERENCE AND  
DUE PROCESS HEARING

On November 9, 2012, counsel for the Poway Unified School District filed with the Office of Administrative Hearings (OAH) a request to continue and reset the initially scheduled hearing dates in the case, citing a conflict with another due process hearing before OAH. On November 13, 2012, Parent, on behalf of Student, filed an opposition to the request.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is: Granted. All dates are vacated. OAH normally grants requests to continue initial hearing dates, because such dates are provided without consulting the parties. Here, the District is entitled to representation of its attorney of choice, and that attorney has a conflict with another case. This matter will be set as follows:

Mediation:	Not applicable.
Prehearing Conference:	01/02/2013, at 1:30 p.m.
Due Process Hearing:	01/07/2013, at 1:30 p.m.; 01/08/2013; 01/09/2013; 01/10/2013, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge.

IT IS SO ORDERED.

Dated: November 15, 2012

/s/

TIMOTHY L. NEWLOVE  
Presiding Administrative Law Judge  
Office of Administrative Hearings